- (1) If there was at that time in his blood five one-hundredths of one per centum (0.05%) or less, by weight, of alcohol, as determined by an analysis of his blood or breath, or if there was in his urine eight one-hundredths of one per centum (0.08%) or less, by weight, of alcohol, it shall be presumed that the defendant was not in an intoxicated condition, that his driving ability was not impaired by the consumption of alcohol, and that he was not under the influence of intoxicating liquor;
- (2) If there was at that time in his blood more than five one-hundredths of one per centum (0.05%), but less than fifteen one-hundredths of one per centum (0.15%) TEN ONE-HUNDREDTHS OF ONE PER CENTUM (0.10%), by weight, of alcohol, as determined by an analysis of his blood or breath, or if there was in his urine more than eight one-hundredths of one per centum (0.08%), but less than twenty-one hundredths of one per centum (0.20%) THIRTEEN ONE-HUNDREDTHS OF ONE PER CENTUM (0.13%), by weight, of alcohol, this fact shall not give rise to any presumption that the defendant was or was not in an intoxicated condition or was or was not under the influence of intoxicating liquor, but this fact may be considered with other competent evidence in determining the guilt or innocence of the defendant;
- (3) If there was at that time in his blood ten one-hundredths of one per centum (0.10%), or more, by weight, of alcohol, as determined by an analysis of his blood or breath, or if there was in his urine thirteen one-hundredths of one per centum (0.13%), or more, by weight, of alcohol, it shall be prima facie evidence that the defendant's driving ability was impaired by the consumption of alcohol, AND THIS FACT MAY BE CONSIDERED WITH OTHER COMPETENT EVIDENCE IN DETERMINING THE GUILT OR INNOCENCE OF THE DEFENDANT:
- (4) If there was at that time in his blood fifteen one-hundredths of one per centum (0.15%), or more, by weight, of alcohol, as determined by an analysis of his blood or breath, or if there was in his urine, twenty one-hundredths of one per centum (0.20%), or more, by weight, of alcohol, it shall be prima facie evidence that the defendant was in an intoxicated condition.
- (b) The foregoing provisions do not limit the introduction of any other competent evidence bearing upon the question (1) whether or not the defendant was in an intoxicated condition, (2) whether or not his driving ability was impaired by the consumption of alcohol, or (3) whether or not he was under the influence of intoxicating liquor.
- (c) No person shall be compelled to submit himself or any part of his body or bodily substance for the purpose of a chemical analysis provided for in this section and evidence of chemical analysis shall not be deemed admissible if obtained contrary to the provisions of this section; and no inference or presumption concerning either his guilt or innocence arises by reason of his refusal to submit as hereinbefore set forth, nor shall the fact of his refusal so to submit be admissible into evidence at his trial. This subsection in no way limits the provisions of SECTION 92A OF Article 66½ of this Code regarding the consequences of refusal to submit to a chemical test or tests. IN ANY EVENT, THE DEFENDANT SHALL HAVE THE RIGHT TO SELECT THE TYPE OF TEST ADMINISTERED. AND